

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW ALBRIGHT, Individually and  
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

TERRAFORM LABS, PTE. LTD., JUMP  
TRADING LLC, DELPHI DIGITAL  
CONSULTING, INC., DO KWON,  
NICHOLAS PLATIAS, LUNA  
FOUNDATION GUARD LTD., JOSE  
MACEDO, KANAV KARIYA, and REMI  
TETOT,

Defendants.

Civil Action No. 1:22-cv-07281-JSR

Hon. Jed S. Rakoff

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, Defendants Terraform Labs Pte. Ltd., Do Kwon, and Luna Foundation Guard Ltd., by their undersigned counsel, respectfully move, pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6), for an Order dismissing the Amended Class Action Complaint (ECF No. 42) for Violations of the Federal Racketeering Laws with prejudice and granting such other and further relief as this Court may deem just and proper.

This Motion is based on this Notice of Motion, the Memorandum of Law filed concurrently herewith, the pleadings and papers filed herein, the declaration of Douglas W. Henkin filed concurrently and in support of this Motion, including the accompanying exhibits, and upon such other and further matters as may be presented to the Court.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's November 17, 2022 Order, Plaintiff's opposition shall be served by December 19, 2022, and Defendants' replies shall be served by December 28, 2022.

Dated: December 5, 2022

Respectfully submitted,

/s/ Douglas W. Henkin  
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Do Kwon, and Luna Foundation Guard Ltd.*